

HOUSE No. 1353

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin that the Department of Environmental Protection be directed to make an investigation and study of the sites of contaminated property with limited activity and use. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO ACTIVITY USE LIMITATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 206 of the Massachusetts Acts and Resolves of 1998 is
2 hereby amended by inserting at the end of section 43 the
3 following two new paragraphs:—

4 On or before January 1, 2006, the department shall, in consulta-
5 tion with the department of economic development, conduct a
6 study of the targeted audit program of sites at which an activity
7 and use limitation has been implemented. Said study shall iden-
8 tify the number of targeted audits, the department costs associated
9 with said audits, the results of said audits with regard to compli-
10 ance and enforcement, the department's goals and plans to meet
11 its goals, the financial requirements of the targeted audit program,
12 recommended legislative changes and such other information and
13 recommendations as the department considers important to ana-
14 lyze the targeted audits and the AUL program.

15 The results of said study and its recommendations, if any,
16 together with drafts of legislation necessary to carry such recom-
17 mendations into effect, shall be filed with the clerks of the House
18 of Representatives and the Senate and the Joint Committee on
19 Natural Resources and Agriculture and the House and Senate
20 Committees on Ways and Means on or before January 1, 2007.
21 Regulations establishing and requiring targeted audits authorized
22 by this section shall not be in effect in any fiscal year in which the
23 authorized appropriations for the program is less than three mil-
24 lion dollars per fiscal year to implement the program.